

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ISAIAH D. JORDAN,

Plaintiff,

v.

ORDER

HOLLY GUNDERSON, TAMMY STRUMNESS,
BARRY DAUGHTRY, MARYAH MARTIN, LYNN
DOBBERT, MELISSA MCFARLANE, and KOREEN
FRISK,

22-cv-692-jdp

Defendants.

Plaintiff Isaiah D. Jordan has filed three motions: two motions for leave to proceed on appeal without prepaying the appellate filing fee and a motion to accept documents related to those motions. Dkt. 158; Dkt. 165; Dkt. 168.

The court will grant Jordan's first motion for leave. Jordan's trust fund account statement shows that he's indigent, Dkt. 167, and the court finds no other reason to deny the motion. In particular, the court finds after reviewing Jordan's affidavit setting forth his issues for appeal, Dkt. 165, that the appeal is not taken in bad faith. *See* 28 U.S.C. § 1915(a)(3).

Under 28 U.S.C. § 1915(b)(1), Jordan must make an initial partial payment of the appellate fee, which the court has calculated as \$312.67. Dkt. 167-2. If necessary, Jordan may arrange with prison authorities to pay some or all of this amount from his release account. If Jordan fails to make the required payment by the deadline set below, the appeal may be dismissed. The court will deny as moot Jordan's second motion for leave.

The court will grant in part and deny in part Jordan's motion to accept documents. This motion is granted for the purpose of considering the trust fund account statement and other documents related to the motions for leave, but otherwise denied as moot. The court has

received Jordan's trust fund account statement, which moots his concerns about irregularities in the prison business office. Also, this order addresses Jordan's concern about the next step to take in this case.

ORDER

IT IS ORDERED that:

1. Plaintiff Isaiah D. Jordan's first motion for leave to proceed on appeal without prepaying the appellate filing fee, Dkt. 158, is GRANTED.
2. Plaintiff may have until October 1, 2024 to submit a check or money order made payable to the Clerk of Court in the amount of \$312.67 as an initial partial payment for his appeal. After that, plaintiff must pay the remainder of the \$605 appellate fee in monthly installments under 28 U.S.C. § 1915(b)(2). If plaintiff doesn't have enough money to make the initial partial payment from his regular account, he should arrange with prison authorities to pay the remainder from his release account.
3. Plaintiff's second motion for leave, Dkt. 165, is DENIED as moot.
4. Plaintiff's motion to accept documents, Dkt. 168, is GRANTED in part and DENIED as moot in part.

Entered September 10, 2024.

BY THE COURT:

/s/

ANITA MARIE BOOR
Magistrate Judge